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**MINUTES OF THE MEETING OF OCTOBER 3, 2013**

A regular meeting of the Higher Education Commission was held at 3 Barrell Court, Concord, New Hampshire at 2:00 p.m. on Thursday, October 3, 2013. The following members were present:

Tom Galligan, Chair  
Sara Jayne Steen, Vice Chair  
Steve Appleby  
Sr. Paula Marie Buley  
John Curran  
Michael Diffily  
Jim Fitzgerald  
Anne Huot  
Peter Koch  
Todd Leach – via phone  
David Mahoney  
Michele Perkins  
Eli Rivera  
Lindsay Whaley

The following members were unable to attend:

Virginia Barry  
James Birge  
Ross Gittell  
Mark Huddleston  
Scott Kalicki  
Lynn Kilchenstein  
Kathleen Mullin  
Roger Williams

- 1) Chair Galligan called the meeting to order and welcomed everyone, including a special welcome to Ms. Huot and Mr. Diffily as new commissioners.

- 2) Mr. Koch moved, seconded by Mr. Diffily, to accept the minutes of August 21, 2013. Ms. Steen amended the motion to change the date of May to August and to add Todd Leach to the list of those unable to attend. The motion passed without dissent.
- 3) Director Gustafson presented the conditional approval of N.H. Code of Administrative Rules, Hedc 400 – Degree-Granting Postsecondary Institutions with a Physical Presence in New Hampshire. According to the Joint Legislative Committee on Administrative Rules (JLCAR), a fee schedule was required and, therefore, added. Ms. Perkins moved, seconded by Sr. Paula Marie Buley, to adopt the conditional approval. The motion passed without dissent. For the record, Ms. Edes departed the meeting to deliver a signed letter from Chair Galligan to the JLCAR verifying the Commission had adopted the conditional approval.
- 4) Chair Galligan opened a public hearing on the repeal of N.H. Code of Administrative Rules, Pos 1000, Degree-Granting Postsecondary Institutions with a Physical Presence, or Place of Contact that Conduct Advising/Mentoring or Instruction in New Hampshire. These rules were replaced with Hedc 400 above. Those present were given the deadline of October 11, 2013 to submit, in writing, data, views or arguments. With no comments made, Chair Galligan closed the public hearing.
- 5) Jim Craiglow, Evaluation Team Chair, presented The American College of History and Legal Studies' request to continue to offer the Bachelor of Arts in History and Legal Studies. The Evaluation Team also included Representative Patrick Bick of Salem, and Director Gustafson. All Commission standards were met and the Evaluation Team recommended the Commission approve the request of the American College of History and Legal Studies to operate in New Hampshire and offer the Bachelor of Arts in History and Legal Studies through June 30, 2018. With this approval, The American College of History and Legal Studies would file a progress report on or before December 31, 2013 and each year thereafter by December 31 addressing the following matters:
  - (a) All correspondence and status of work with the New England Association of Schools and Colleges regarding its pursuit of accreditation.
  - (b) Enrollment data including applications, admissions, registrations and completions for the current reporting year.
  - (c) Any changes in administrative or faculty personnel, including changes in responsibilities and resumes of any new personnel.
  - (d) Annual audited financial statements.
  - (e) Any material changes related to any of the standards of the Commission.

The Commission would conduct a site visit during the spring of 2018 to evaluate the status of The American College of History and Legal Studies accreditation status with the New England Association of Schools and Colleges.

The American College of History and Legal Studies' authorization to offer the Bachelor of Arts in History and Legal Studies would expire at the end of any calendar year for which the annual report is not received.

Mr. Appleby moved, seconded by Mr. Curran, to accept the Evaluation Team recommendations. The motion passed without dissent.

- 6) Jacquelyn Armitage, Evaluation Team Chair, presented the InterCoast Career Institute's request to operate in New Hampshire and offer the Associate of Applied Science in Substance Abuse Counseling (AAS in Substance Abuse Counseling) and to use the name "InterCoast College and Career Institute." The Evaluation Team also included Representative Patrick Bick of Salem, Peter DalPra, Licensed Practitioner in Substance Abuse Counseling, Kimberly Kenneally, and Director Gustafson. The InterCoast Career Institute is currently approved by the Office of Career School Licensing and offers a certificate program in alcohol and drug abuse counseling. It is accredited by the Accrediting Council for Continuing Education and Training (ACCET). All standards were met with the exception of faculty not qualified to teach at the associate degree level. The Evaluation Team recommended the Commission approve InterCoast Career Institute to use the name InterCoast College and Career Institute and to operate in New Hampshire and to offer the AAS in Substance Abuse Counseling through June 30, 2016, with the following provisions:

- (a) A qualified faculty member must be retained before students are enrolled in the AAS in Substance Abuse Counseling Program. InterCoast College and Career Institute will provide the Commission with the professional resume of the faculty member.
- (b) InterCoast College and Career Institute will file annual reports on the enrollment, retention, completion and placement information for the AAS in Substance Abuse Counseling Program. Annual reports are due on or before December 31 beginning in 2013.
- (c) InterCoast College and Career Institute will file annual reports on the licensure pass rate for AAS in Substance Abuse Counseling graduates, due on or before December 31 beginning in 2014.
- (d) InterCoast College and Career Institute will provide the Commission with any and all correspondence and reports with the ACCET.
- (e) The Commission will conduct a site visit in the spring of 2016 to assess the status and recommend continued approval for the AAS in Substance Abuse Counseling.

Mr. Koch moved, seconded by Sr. Paula Marie Buley, to accept the Evaluation Team recommendations. The motion passed without dissent.

- 7) Director Gustafson recognized Representative Patrick Bick for participating in the evaluation visits to The American College of History and Legal Studies and the InterCoast College and Career Institute. By legislation, the Commission is required to invite the House and Senate

Education Committee members to attend and participate as observers at all site visits. His work was appreciated.

- 8) Jim Craiglow, Evaluation Team Chair, presented the Upper Valley Educators Institute's (UVEI) request for new approval to expand its Master of Arts in Teaching to experienced educators. Director Gustafson accompanied Mr. Craiglow on the site visit. The Upper Valley Educators Institute is currently approved to offer the Master of Arts in Teaching and the M.Ed. in School Leadership through June 30, 2016. The Institute would like to expand its competency based Master of Arts in Teaching to experienced teachers who were not trained or recommended for certification by the Upper Valley Educators Institute. The Evaluation Team recommended the Commission approve the Upper Valley Educators Institute to offer the Master of Arts in Teaching (MAT) degree to non-UVEI experienced educators through June 30, 2016. This was with the condition that copies of all correspondence to and from the Teacher Education Accreditation Council (TEAC) and the ACCET be forwarded to the Commission. Additionally, the Commission would be invited to attend any site visit(s) conducted by these associations. Participation as an observer at a site visit would be determined upon receipt and review of correspondence.  
Mr. Kalicki moved, seconded by Mr. Curran, to accept the Evaluation Team recommendations. The motion passed without dissent.
- 9) Director Gustafson presented highlights of the Director's Report. These included the following:
  - (a) His planned departure as director, effective the first of 2014. Following discussions with Commissioner Barry and Chair Galligan, the position would be posted as soon as possible. The recommendation would go to Commissioner Barry who, in turn would recommend to the Governor & Council. Commissioners Mr. Koch, Mr. Kalicki, Mr. Appleby and Chair Galligan volunteered to serve on the Screening Committee.
  - (b) The need for a meeting in December to keep the administrative rules moving forward, namely Hedc 100 and 200, Organizational Rules, Hedc 300, the Office of Career School Licensing, and Hedc 500, Scholarships for Orphans of Veterans. Commissioners Koch and Appleby volunteered to assist with the development of fees for career schools.
  - (c) Senator Nancy Stiles has agreed to sponsor legislative changes for the Commission, which are largely technical in nature.
  - (d) The State Authorization Reciprocity Agreement (SARA) was discussed at a recent New England Board of Higher Education meeting. Marshall Hill was chosen as the National Director, with SARA Board members including Kathryn Dodge, Patricia O'Brien, Associate Director for the New England Association of Schools and Colleges, and Michael Thomas, Executive Director for the New England Board of Higher Education.
  - (e) An e-mail from a former employee of St. John International University was circulated. This employee continues to try to resolve the matter of nonpayment and asked that the e-mail be forwarded to the Commission. We await a response from St. John International University regarding this matter.

- 10) Chair Galligan presented the final approval of N.H. Code of Administrative Rules, Hedc 400 – Degree-Granting Postsecondary Institutions with a Physical Presence in New Hampshire. Mr. Diffily commented on a misalignment under Hedc 405.04 Faculty which will be corrected. Mr. Mahoney moved, seconded by Mr. Kalicki, to adopt the final approval. The motion passed without dissent.
- 11) Chair Galligan requested that commissioners join him in recognizing and thanking Director Gustafson for his remarkable job as director. Director Gustafson thanked those present and commended staff for their support. He also acknowledged Commissioner Barry's support as she recognizes the importance of higher education in the scheme of all education in the State of New Hampshire. Chair Galligan thanked staff and Cathy Yeager for their support and service.

The meeting adjourned at 3:00 p.m.